



PATENT

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06/05/02  
Date

Melody Almberg  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : L. L. Chen  
Application No. : 09/045,245 Confirmation No.:  
Filed : March 20, 1998  
For : APPARATUS AND METHOD FOR ELECTROLYTICALLY DEPOSITING A METAL ON A MICROELECTRONIC WORKPIECE (as amended)

Examiner : W. A. Nicolas  
Art Unit : 1741  
Reference No. : P98-0001  
Docket No. : 291958171US00  
Date : June 3, 2002

Box [Certificate of Direction]  
Commissioner for Patents  
Washington, DC 20231

DECLARATION OF MARCIA S. KELBON

1. I, Marcia S. Kelbon, am a patent attorney and practiced as a member of the firm of Christensen O'Connor Johnson Kindness PLLC in Seattle, Washington, during the period from prior to August 2000 through and after March 2001.

2. Harry M. Cross, Jr., Corporate Counsel for the assignee of U.S. Application No. 09/045,245, commenced a transfer of responsibility for this application from the firms of Rockey, Milnamow & Katz, Ltd. and from Polit & Associates LLC to Christensen O'Connor Johnson Kindness PLLC by a letter of August 24, 2000.

3. A Notice of Allowance in this application was mailed from the USPTO on September 19, 2000 and was forwarded to Christensen O'Connor Johnson Kindness PLLC on September 27, 2000 from Polit & Associates LLC.

4. In a letter dated October 10, 2000, I informed Mr. Cross that formal drawings and the payment of the issue fee for U.S. Patent Application No. 09/045,245 were required to be filed in the U.S. Patent Office. I also informed Mr. Cross that Christensen O'Connor Johnson Kindness would complete such drawings.

5. On October 24, 2000 I received instructions from Mr. Cross to file formal drawings; I advised Mr. Cross that I would obtain any available formal drawings for U.S. Patent Application No. 09/045,245 from prior counsel; and I requested such drawings from Rockey Milnamow & Katz, Ltd..

6. On October 24, 2000, Ms. Kathleen A. Lyons, an attorney at Rockey Milnamow & Katz, Ltd., sent me formal drawings for U.S. Patent Application No. 09/045,245 under cover of a letter indicating that Figures 3, 4A, 4B, 5, 6A and 6B were being provided.

7. On October 26, 2000, I submitted formal drawings along with the payment of the issue fee for U.S. Patent Application No. 09/045,245. The formal drawings submitted on October 26, 2000, included Figures 1, 2A-2E, 3, 4A, 4B, 4C, 4D, 5, 6A, 6B and 7.

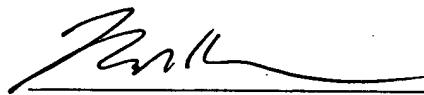
8. In filing the formal drawings on October 26, 2000, I inadvertently included Figures 4C and 4D. These figures correspond to those present in International Application No. PCT/US99/06306, which claims priority to U.S. Patent Application No. 09/045,245. The figures of International Application No. PCT/US99/06306 are identical to those in U.S. Application No. 09/045,245, except that International Application No. PCT/US99/06306 also includes Figures 4C and 4D.

9. When I filed the formal figures for this application, I did not notice that Figures 4C and 4D were not filed with the original application. Thus, the inclusion of Figures 4C and 4D in this application was a minor mistake of a clerical nature that occurred in good faith without any deceptive intent.

10. I declare that all statements made herein of my own knowledge are true; and that all statements made on information and belief are believed to be true; and further,

that all the statements were made with the knowledge that making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent that has issued or may issue from a related application.

This declaration is executed on the 24<sup>th</sup> day of May 2002.



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Marcia S. Kelbon  
Registration No. 34,358